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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/549,486	08/03/2006	Peter Ackermann	70183	7990

26748 7590 03/02/2011
SYNGENTA CROP PROTECTION, INC.
PATENT AND TRADEMARK DEPARTMENT
410 SWING ROAD
GREENSBORO, NC 27409

EXAMINER

PRYOR, ALTON NATHANIEL

ART UNIT	PAPER NUMBER
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1616

NOTIFICATION DATE	DELIVERY MODE
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03/02/2011

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

department-gso.patent@syngenta.com

DETAILED ACTION

Applicants' paper file 12/29/10 identifies an elected species wherein the A members yielded a pyridine ring. According to the restriction requirement set forth by the Examiner, the elected compound falls in Group I. Group II is drawn to pyrimidine and Group III is drawn to triazines. However, Applicants decided not to elect a Group. Applicants argue that the technical feature of the three Groups is the same. The Examiner disagrees because pyridines, diazines and triazines all differ in their aromatic nitrogen count causing each to differ in chemical and physical properties. The difference in aromatic nitrogen count between the moieties leads to technical feature differences. It is requested that Applicants elect Group I or Group II or Group III in response to this communication.

Group I, claim(s) 1,3-9,11-17 and 19, drawn to a triazole (should be triazine) compound of formula I.

Group II, claim(s) 1-17 and 19, drawn to a diazole (should be pyrimidine) compound of formula I.

Group III, claim(s) 1,3-9,11-17 and 19, drawn to a pyridine compound of formula I.

If Applicants elect Group I or Group II, it is requested that Applicants identify a single species to represent Group I or Group II. If Applicants elect Group III, the elected species has already been identified in the paper filed 12/29/10.

Since the above-mentioned response appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the

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omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Telephonic Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALTON N. PRYOR whose telephone number is (571)272-0621. The examiner can normally be reached on 8:00 a.m. - 4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Johann Richter can be reached on 571-272-0646. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alton N. Pryor/

Primary Examiner, Art Unit 1616